

The articles were alleged to be misbranded in that certain statements, borne on the cartons of the Oil de Vita, regarding its therapeutic and curative effects falsely and fraudulently represented that it was effective to destroy cold and catarrhal pus bacilli and to relieve and conquer rheumatic conditions; in that certain statements on the display card shipped with the Snuffly regarding its curative and therapeutic effects falsely and fraudulently represented that it was effective as a remedy for sinus trouble, asthma, and hay fever, and as a protection against infection; and in that certain statements on the tubes containing the Oil de Vita Salve, regarding its curative and therapeutic effects, falsely and fraudulently represented that it was effective as a relief for eczema, skin eruptions, and rheumatism.

On September 21, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$50 and a sentence of 1 day's imprisonment. The prison sentence was suspended and the defendant was placed on probation for 1 year.

M. L. WILSON, *Acting Secretary of Agriculture.*

27703. Misbranding of Zo-Ro-Lo. U. S. v. Zo-Ro-Lo, Inc., Ralph Runyan, and Charles Collett. Pleas of nolo contendere. Corporation fined \$50. Individual defendants each fined \$10. Costs assessed. (F. & D. No. 37923. Sample Nos. 49625-B, 56470-B.)

The labeling of this product bore false and fraudulent representations regarding its curative and therapeutic effects.

On August 12, 1936, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Zo-Ro-Lo, Inc., Ada, Ohio, and Ralph Runyan and Charles Collett, officers of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about December 9, 1935, from the State of Ohio into the State of Indiana, and on or about December 20, 1935, from the State of Ohio into the State of New Jersey of quantities of Zo-Ro-Lo that was misbranded. The article was labeled in part: "Zo-Ro-Lo, Zo-Ro-Lo, Inc., Laboratories, Ada, Ohio."

Analyses showed that it consisted essentially of water, magnesium sulphate, citric acid, benzoic acid, glycerin, and menthol.

The article was alleged to be misbranded in that certain statements borne on the bottle label, regarding its therapeutic and curative effects, falsely and fraudulently represented that it was effective to remove the cause of many ailments traceable to intestinal auto-intoxication and to insure proper elimination; effective as a treatment, remedy, and cure for indigestion; and effective to aid nature in eliminating the toxins caused from auto-intoxication and putrefaction occurring within the intestinal tract and to establish normal metabolism.

On January 21, 1937, the corporation entered a plea of nolo contendere and the court imposed a fine of \$50, with costs amounting to \$20.50. On September 16, 1937, each individual defendant entered a plea of nolo contendere and was fined \$10 with \$15.10 costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

27704. Adulteration of gauze pads. U. S. v. 81 Packages and Boxes of Gauze Pads. Default decrees of condemnation and destruction. (F. & D. Nos. 38460, 38487. Sample Nos. 11897-C, 12129-C.)

This product was adulterated and misbranded because it was represented to be sterile but in fact it was not sterile. It was misbranded further in that it was labeled to convey the impression that it was manufactured by a firm other than the actual manufacturer.

On October 27 and November 6, 1936, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 81 packages and 26 boxes of gauze pads at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about August 25 and September 22, 1936, by the Handy Pad Supply Co. from Worcester, Mass., and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled: "Clafin's Dispenser Type Gauze Pads." The remainder was labeled: "Clafin's Gauze Pads Sterilized * * * Geo. L. Clafin Company * * * Providence, R. I."

The article was alleged to be adulterated in that its purity fell below the professed standard or quality under which it was sold (carton of a portion)